

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 20th day of December 2005 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair,
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member
Jim Brass,	Council Member
Jeff Dredge,	Council Member - conducted

Other who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	City Recorder
Dennis Hamblin,	Planning & Zoning
Gil Rodriguez,	Fire Chief
Citizens	

Mr. Dredge conducted meeting.

A. OPENING CEREMONIES

1. Pledge of Allegiance

Noel Anderson

2. Approval of Minutes

December 6, 2005

Ms. Griffiths made a motion to approve the minutes with minor corrections.

Mr. Robertson 2nd the motion.

All ayes

3. Special Recognition(s)

None Scheduled

B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

C. CONSENT AGENDA

None scheduled.

D. Public Hearing(s)

1.

PUBLIC HEARING

#1070 - 6:40 p.m.

**Consider an ordinance amending certain sections
of the Murray Municipal Code relating to Title 5,
Business Licenses and Regulations**

a. Staff and sponsor presentations, public comment and discussion
prior to Council action on the following matter:

Consider an Ordinance amending certain Sections of Murray City
Municipal Code relating to Title 5, Business Licenses and Regulations

Staff Presentation: Carol Heales, Recorder

Ms. Heales noted the recommended amendments include minor technical changes to update and add definitions, deletion of bond requirements for certain business classes and adjustment of home-based business base fees.

Ms. Heales suggested day care fees be reduced to \$50.00 for under \$10,000 income.

Temporary business licensing was given a separate section for logical order. The bond requirement for door to door sales was deleted because the cost of bonds, generally required in each city, would prohibit sales. Other bonds were eliminated because of duplication. Certain business classes are required by the State to secure a bond.

Ms. Heales said an informal survey was conducted to compare home based business fees for 16 cities. The results were as follows:

Holladay	\$35 plus \$15 foot traffic
Taylorsville	\$35 plus \$15 foot traffic
West Jordan	\$40
South Jordan	\$47
Bluffdale	\$50
West Valley City	\$50
Herriman	\$50
Riverton	\$50 plus \$50 if inspection required
Midvale	\$55
Provo	\$60 less \$40 if gross revenue less than \$10,000 year
Sandy	\$90 less \$40 if gross revenue less than \$50,000 yr waived if gross revenue less than \$1,000
Draper	\$75
Ogden	\$83
Salt Lake County	\$100 \$50 if gross revenue less than \$15,000
Murray	\$100
Salt Lake City	\$100 plus one time \$50 application
Average	\$64

PUBLIC COMMENTS

Ms. Barbara T. Lozano, 5918 South Main Street, Murray, Utah

Ms. Lozano said she has lived in Murray since she was two years old. She said she has a daycare business in her home taking care of six children. She would like to see fees lowered as it is difficult for child care providers to pay such a large amount.

Ms. Kim Hill, 4978 Atwood Boulevard, Murray, Utah

Ms. Hill stated she was a former childcare director for the Boys & Girls Club. She said the State allows eight children in home based daycare. The State also allows up to 16 children for a group home *daycare*. Ms. Hill would like to see Murray be in agreement with the State licensing regulations with regard to how many children are allowed. She too finds the fees too high. Eight children would help cover the yearly fee of \$275.

Ms. Barbara G. Lavin, 4753 South Chestnut Glen Drive, Murray, Utah

Ms. Lavin has a home based travel agent business. She has very little if any foot traffic. Her business license fee went up 500%. She finds this a hardship. She thought Murray encouraged small business owners. She wants to see a separate base fee category for home based businesses.

Ms. Penny Barlow, 19 West Hillcrest Circle, Murray, Utah

Ms. Barlow expressed her wish to be self sufficient and not require State assistance for childcare. The fee increase is a burden and being limited to six children doesn't help. She would like to see Murray allow up to eight children as the State does. She would also like to know why a group home license like the State is not allowed.

Anthony Hale, 4800 South 150 West, Murray, Utah

Mr. Hale has operated a commercial business in Murray for 20 years. His fees went up more than 700% this year. He requested the Council look at the commercial fees in addition to home based business fees.

Councilman Dredge said the Council was considering home based business fees only and asked that Mr. Hale to contact his representative to address the issue.

PUBLIC HEARING CLOSED

- b. Council consideration of the above matter to follow Public Hearing.

Mr. Dredge would like to see a discount possibly graduated up to \$50.

Mr. Nakamura, City Attorney, suggested a set fee rather than a discount.

Ms. Dunn said when you change things sometimes the law of unintended consequences comes into play. She would like to see a break given to people not making a lot of money. Ms. Dunn asked Ms. Heales if the discount would cause an administrative burden.

Ms. Heales replied that the number of home based businesses making a certain gross revenue is unknown. She felt more comfortable with an affidavit for proof of income rather than see a return. Each request would need to be handled individually.

Ms. Griffiths suggested the Council wait to make a decision and discuss the issues such as daycare in committee of the whole.

Mr. Brass asked Mr. Hamblin, Community Development Director, about Murray's limit of six children.

Mr. Hamblin said that it was reviewed by the City years ago and the major reason a six-child limit was because of the universal building code and the limit set based on square footage. The City now uses the international building code.

Mr. Nakamura said his office will review the issue and get back to the Council within the next few weeks.

Mr. Brass made a motion amending certain Sections of Murray City Municipal Code relating to Title 5, Business License and Regulations to include a \$50 fee for home based businesses making a gross revenue of less than \$10,000 upon receipt of a signed affidavit.

Ms. Dunn 2nd the motion

Call Vote Recorded by Ms. Heales.

AYE/NAY

 A Mr. Robertson

 A Mr. Brass

 A Ms. Griffiths

 A Ms. Dunn

 A Mr. Dredge

Motion passed 5-0

2.

PUBLIC HEARING

#1071

6:55 p.m.

**Consider an Ordinance amending
Section 17.124.020 of the Murray City
Municipal Code relating to Land Use;
classifying as a Permitted Use,
Convalescent, Rest Home Services
and Sanitariums in the
Commercial Neighborhood (C-N-C) District.
(Millstream Properties)**

- a. Staff and sponsor presentations, public comment and discussion
prior to Council action on the following matter:

Staff Presentation: Dennis Hamblin

Mr. Hamblin reviewed that the applicant, Millstream Properties LLC, had requested a *permitted* use in the C-N-C, commercial neighborhood district. The planning commission heard the request and came back with 5 to 0 positive

recommendation to allow *conditional* use.

Mr. Hamblin explained the difference between *permitted* and *conditional* use. Permitted uses do not require mailings to surrounding residents. Conditional uses

require mailings to surrounding residents and conditions may be imposed as the planning commission sees appropriate.

Applicant Representative: Bruce Heywood, 760 North Mill Road, Heber, Utah

Mr. Heywood noted people at the meeting were in favor of the project. He would like a permitted use in the C-N-C zone.

PUBLIC COMMENTS

No public comment.

PUBLIC HEARING CLOSED

b. Council consideration of the above matter to follow Public Hearing

Ms. Griffiths made a motion to approve an ordinance amending section 17.124.030 of the Murray City Municipal Code relating to land use; classifying as *conditional use*, convalescent, rest home services and sanitariums in the commercial neighborhood C-N-C district.

Mr. Hamblin explained that code number 17.124.020 is for permitted uses and 17.124.030 is for conditional uses.

Ms. Griffiths clarified that she said 17.124.030 for conditional use as recommended by the planning commission. She emphasized that this requires a noticed hearing.

Motion dies for lack of a second.

Mr. Brass made a motion to approve an ordinance amending section 17.124.020 of the Murray City Municipal Code relating to land use; classifying as a *permitted use*, convalescent, rest home services and sanitariums in the commercial neighborhood C-N-C district.

Ms. Dunn 2nd the motion.

Call Vote Recorded by Ms. Heales.

AYE/NAY

 A Mr. Robertson
 A Mr. Brass
 N Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge

Motion passed 4-1

Nay Griffiths

#3

PUBLIC HEARING

1072

7:10 p.m.

**Consider an Ordinance relating to Zoning;
amends the Zoning Map for property
located at 154 and 158 East Myrtle Avenue,
Murray City, Utah from R-1-8
(Single-Family Low Density Residential District)
to C-D-C (Commercial Development District).
(Hamlet Companies)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

Consider an Ordinance relating to Zoning; amends the Zoning Map for property located at 154 and 158 East Myrtle Avenue, Murray City, Utah from R-1-8 (Single-Family Low Density Residential District) to C-D-C (Commercial Development District). (Hamlet Companies)

Staff Presentation: Dennis Hamblin

Dennis Hamblin showed a map and photos of the properties involved. The property lies in the transition area of the downtown historical district. There are commercial and homes in the area. One of the two homes is listed on the historical home registry categorized as an A home, most valuable. Homes on the list are categorized as either an A, B, or C home.

Mr. Hamblin stated the applicant plans to build a construct a medical office building on the properties and demolish the old office building. He added that the planning commission gave a 5 to 0 vote in favor of the zone change because it is consistent with the general plan.

Applicant Representative: James Glascock, 4897 Rebecca Circle, Salt Lake City, Utah, architect for the project.

Mr. Glascock said Hamlet Companies plans to build a three-story medical office.

PUBLIC COMMENT

No public comment.

CLOSED PUBLIC HEARING

- b. Council consideration of the above matter to follow Public Hearing

Mr. Dredge stated that the C-D-C zone for mixed use is not contrary to the general plan.

Mr. Robertson made a motion to approve the Ordinance relating to Zoning; amends the Zoning Map for property located at 154 and 158 East Myrtle Avenue, Murray City, Utah from R-1-8 (Single-Family Low Density Residential District) to C-D-C (Commercial Development District).

Ms. Dunn 2nd the motion.

Call Vote Recorded by Ms. Heales.

AYE/NAY

 A Mr. Robertson

 A Mr. Brass

 A Ms. Griffiths (She stated her vote for the change is consistent with the general plan.)

 A Ms. Dunn

 A Mr. Dredge

Motion passed 5-0

E. Unfinished Business

1. Consider an Ordinance relating to Zoning; amends the Zoning Map for property located at 5323 South Murray Boulevard, Murray City, Utah, from C-N-C (Conditional Commercial Neighborhood District) to C-D-C (Conditional Commercial Development District). (Millstream Properties)

Ms. Dunn made a motion to deny due to redundancy from Action taken on Public Hearing #2 this meeting denied 5-0

Mr. Robertson 2nd the motion.

Call Vote Recorded by Ms Heales.

AYE/NAY

 N Mr. Robertson

 N Mr. Brass

 N Ms. Griffiths

 N Ms. Dunn

 N Mr. Dredge

Denied 5-0

F. New Business

1. Consider a Resolution authorizing the execution of an Interlocal Agreement between Murray City Corporation and the State of Utah for the 2006 Public Library Development Grant.

Staff Presentation: Mr. Daniel Barr, Library Director

Mr. Barr said the Public Library Development Grant program provides state aid to qualified public libraries in Utah. Funds are to be used for a variety of purposes at the discretion of the qualifying library. The funds from this year's grant will be used to install new shelving for the growing Children's and Teen's book collections.

Ms. Griffiths made a motion to approve the resolution authorizing the execution of an interlocal agreement between the City and the State of Utah.

Mr. Robertson 2nd the motion.

Call Vote Recorded by Ms. Heales.

AYE/NAY

A Mr. Robertson
A Mr. Brass
A Ms. Griffiths
A Ms. Dunn
A Mr. Dredge

Motion passed 5-0

G. MAYOR

1. Report
Mayor Snarr wished everyone a Happy Holiday.
2. Questions of the Mayor
Ms. Dunn told the Mayor she appreciated the meeting that was set up with Patricia Arent, Senator for District 4, to discuss legislative issues. She looks forward to meeting with the other representatives in the new year.

H. ADJOURNMENT

Recorded by Carol Heales, City Recorder

